

DISCUSSION

I. Legal Standard

Reconsideration is an "extraordinary remedy to be employed sparingly in the interests of finality and [to conserve] scarce judicial resources." Parrish v. Sollecito, 253 F.Supp.2d 713, 715 (S.D.N.Y. 2003) (citing In re Health Mgmt. Sys. Inc. Sec. Litig., 113 F.Supp.2d 613, 614 (S.D.N.Y. 2000)). A motion for reconsideration will generally be denied unless the movant identifies "controlling decisions or data that the court overlooked" that could "reasonably be expected to alter the conclusion reached by the court." Shrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995). Thus, reconsideration is granted only where necessary to "correct clear error, prevent manifest injustice or review the court's decision in light of the availability of new evidence." Parrish, 253 F.Supp.2d at 715.

II. Application

Peña's letter does not contain any cognizable legal arguments. His letter does, however, allege additional facts in support of his claims that were neither pleaded nor disclosed in his prior submissions. A motion for reconsideration, however, is not the proper place to assert new allegations and cannot serve as "the opening of a dialogue in which that party . . . advance[s] new theories or adduce[s] new evidence in response to

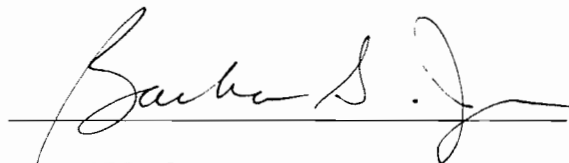
the court's rulings." de los Santos v. Fingerson, 1998 WL 788781 (S.D.N.Y. Nov. 12, 1998); cf. Kunica v. St. Jean Fin., Inc., 63 F. Supp. 2d 342, 346 (S.D.N.Y. 1999).

If Peña wishes to pursue this matter further on appeal, or if he has claims different or in addition to those in the case at bar, the Court urges Peña to contact the Pro Se Office to discuss the proper procedure. The Office is located at 500 Pearl Street, Room 230, New York, NY 10007, and can also be reached at (212) 805-0175 during normal business hours.

CONCLUSION

For the foregoing reasons, Plaintiff's Motion for Reconsideration is DENIED and this case remains closed.

SO ORDERED:

A handwritten signature in black ink, appearing to read "Barbara S. Jones", is written over a horizontal line.

BARBARA S. JONES

UNITED STATES DISTRICT JUDGE

Dated: New York, New York
September 25, 2012